

Remarks

This is in response to the Official Action dated October 31, 2007. The Applicant has amended claims 2, 16 and 27. In addition new claims 34-41 have been added to recite other aspects of the invention. Support for these amendments can be found throughout and in particular in Figure 3, Table 3 and the related description. In addition paragraphs [0045] and [0046] have been amended to correct a typographical error.

With respect to the rejection of claims 2 to 8, and 16 to 20 under 35 U.S.C. 102(e) as being anticipated by Scott, the Applicant has amended the claims to clearly differentiate the claimed invention. Specifically, according to the Examiner's response to arguments starting on page 9 of the Final Action the Examiner states the mixer adds at least a slight delay, and as the "structures of a delay line having one or more switches and a phase discriminator have not been defined in the claim, therefore, the Examiner interprets the claim limitations as broadly as the claim limitations allow. The Examiner encourages the Applicant to amend the claim to better reflect what Applicant intends to claim as the invention".

The amended claims now recite structure and define the amount of delay, which clearly differentiates over the cited art. Accordingly we respectfully submit all of the amended claims are allowable over the cited art.

The Applicant submits that the present application is now in condition for allowance and early action in that regard is respectfully requested.

The Commissioner is hereby authorized to debit \$810.00 from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP, representing the fees for an RCE.

The Commissioner is hereby authorized to charge any additional fees, and credit any over payments to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,

DEANE, Peter et al

By: /Jeffrey M. Measures/

Jeffrey M. Measures

Reg. No. 40,272

Borden Ladner Gervais LLP

World Exchange Plaza

100 Queen Street, Suite 1100

Ottawa, ON K1P 1J9

CANADA

Tel: (613) 237-5160

Fax: (613) 787-3558

E-mail: ipinfo@blgcanada.com

JMM/dbm